

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7624 of 2017

Arun Kumar Sahu, S/o. Shri Shiv Kumar Sahu, Aged About 35 Years, R/o.
Ward No.1, Ahiwara, P.S. Nandini, District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through District Magistrate, District Durg,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Vinay Pandey, Advocate

For Respondent : Mr. Ashish Shukla, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18.01.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.191/2017 registered at Police Station- Nandini, District Durg (C.G.) for the offence punishable under Sections 419, 420, 467, 468, 34, 471, 120-B, 34 of Indian Penal Code.
2. As per the prosecution case, a report was made by Bhanupratap Sahu that he wanted to sell his land, therefore, he contacted the present applicant Arun Kumar Sahu and the Rin-pustika was given. Subsequently, he received a legal notice wherein it was stated that the complainant has agreed to sell some land to one Mundra and on having enquired, it revealed that the present applicant alongwith one Om Prakash Verma had fraudulently obtained an amount of sale consideration of Rs.6 Lakhs by affixing the photographs of Omprakash Verma in the Rin-pustika.

3. Learned counsel for the applicant submits that there is no hand-writing expert report has been placed on record to show that the agreement was not entered into by the complainant. He further submits that the charge sheet in this case has been filed and the applicant is in jail since 24.07.2017, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and documents. Considering the fact that the charge sheet has been filed, the applicant is in jail since 24.07.2017, no further investigation is necessary and the offence is triable by the J.M.F.C., I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge